

10/702,190



Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Michael ARCHER

Application No.: 10/702,190

Group Art Unit: 2667

Filed: November 5, 2003

Examiner: Yao, K.

Attorney Docket No.: 09710-1196

Client Docket No.: RIC 97 077 C1

Client Customer No.: 25537

For: METHOD AND SYSTEM FOR MULTICASTING CALL NOTIFICATIONS

Assistant Commissioner for Patents
Alexandria, VA 22313-1450

DECLARATION UNDER RULE 1.132

Dear Sir:

I, Angela N. Trafton, hereby declare as follows:

1. I have been employed in the Patent Acquisition & Licensing group of the Technology Law Department at MCI, Inc. for the past five (5) years as a "Legal Assistant" from November 1999 to December 2000 and as a "Staff Specialist" from January 2001 to the present.
2. My duties and responsibilities include the core patent docketing processes (such as a opening, date-stamping, reviewing, logging, and docketing) and matching paper for correspondence both received and sent to the USPTO and foreign patent offices.
3. I am now the keeper of the files relating to present application, including the file relating to the parent of the present application, U.S. Application Serial No. 09/104,570, filed

June 25, 1998, now U.S. Patent No. 6,683,870 (our docket no. RIC97077), after it had been transferred from our Richardson, Texas, office.

4. I have carefully reviewed the files relating to the present application and to the patent of the present application that were maintained at our Richardson, Texas, and Washington, D.C., offices.
5. The accuracy and integrity of our files is essential for the regular day-to-day business Patent Acquisition & Licensing group of the Technology Law Department at MCI, Inc.
6. The files contain evidence of conception by the inventor of the present application, Michael Archer, well before June 24, 1998. For example, the files contain a letter dated June 10, 1998 from Mr. Ira S. Matsil enclosing a final draft of the patent application for the parent of the present application (EXHIBIT A).
7. The files contain a copy of a cover letter (EXHIBIT B) dated June 17, 1998 from Becky Bass of the Technology Law Department in Richardson, Texas, to the inventor in the present application, Michael Archer, in Dallas, Texas. The cover letter states that the Declaration and Assignment for the parent of the present application were enclosed for signature by the inventor, along with a return envelope.
8. The files contain copies of two (2) Airborne Express airbills filled out by Becky Bass, one for sending the Declaration referred to in EXHIBIT B to Michael Archer (EXHIBIT C) and one for returning the executed Declaration referred to in EXHIBIT B from Michael Archer to Becky Bass of the Technology Law Department in Richardson, Texas (EXHIBIT D).
9. The files contain a signed copy of a Declaration and Assignment executed by Michael Archer on June 18, 1998 (EXHIBITS D & E).

10. The Technology Law Department of MCI, Inc., in Richardson, Texas, upon receipt of the executed Declaration and Assignment from Michael Archer, diligently proceeded to file the parent application, which was accorded a filing date of June 25, 1998.
11. In accordance with our practice, the patent application is not modified after the inventor has signed the Declaration.
12. All statements made herein are true of my own knowledge and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the patent.

Respectfully Submitted,

2/14/2005
Date

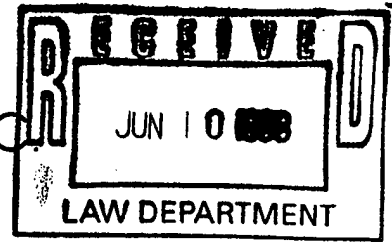
Angela N. Trafton
Angela N. Trafton
Staff Specialist

Patent Acquisitions & Licensing
Technology Law Department
MCI, Inc.
Tel: (202) 736-6299
Fax: (202) 736-6382

EXHIBIT A

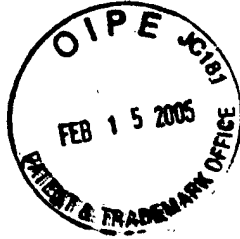
SHARP, COMFORT & MERRETT, P.C.

ATTORNEYS AND COUNSELLORS
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June 10, 1998

Via Airborne 9801292642

Mr. Ruben Deleon
Associate Technology Counsel, Technology Dept.
MCI Communications Corporation
Law and Public Policy
2400 North Glennville Drive
Richardson, TX 75082

Re: RIC-97-077

Dear Ruben:

Enclosed is the final draft of the patent application for RIC-97-077. This case should be ready for filing. I have enclosed an electronic copy on disk in Word 7.0 format.

I have also enclosed a number of references that should be filed with an Information Disclosure Statement.

If you have any questions, please let me know.

Best regards,


Ira S. Matsil

ISM:jb
Enclosed: RIC-97-077 Specification
five references; six drawings

EXHIBIT B



MCI TELECOMMUNICATIONS CORPORATION
2400 North Glenville Drive
Richardson Texas 75082
PHONE: (972) 918-6160
FAX: (972) 918-7255

Technology Law Department
Law & Public Policy



MEMORANDUM

To: Michael Archer

Date: June 17, 1998

From: Becky Bass *BB*

Re: Method and System for Multicasting Call Notifications/RIC-97-077

Please find enclosed two documents, one entitled *Assignment* and the second entitled *Declaration and Power of Attorney for Utility Patent Application*, that require your signature in order to file the patent application for the above-referenced invention. Please sign **in blue ink** where indicated and return to me in the enclosed envelope as soon as possible.

Thank you for your cooperation.

/bb
encl.

EXHIBIT C

FROM (Company) M C I 0562/17		Preprint Format No. 69971080	Origin Airbill Number J 46 446882
Street Address 2400 N GLENVILLE DR		Method of Payment <i>Assumed sender unless otherwise noted</i> <input checked="" type="checkbox"/> Bill Sender 153044578 <i>Airborne Sender account no.</i>	
City State ZIP CODE (Required) RICHARDSON TX 75082	Service Type One box must be checked with an "X". Assumed Express Service unless otherwise noted. <input checked="" type="checkbox"/> Express (Letter - 150 lbs) <input checked="" type="checkbox"/> Next Afternoon (Letter - 5 lbs) <input checked="" type="checkbox"/> Second Day (Letter - 150 lbs)		
Sent by (Name/Dept) Phone Number Becky Bass 972-918-6160		<input type="checkbox"/> Bill Receiver <i>Airborne Receiver account no.</i> <input type="checkbox"/> Bill 3rd Party <i>Airborne Customer account no.</i> <input type="checkbox"/> Paid in Advance <i>Check Amount</i> \$	
TO (Company) Michael Archer		Billing Reference <i>will appear on invoice</i>	
Street Address 5704 Spring Valley Apt 1063		6 NO. OF PKGS 7 WEIGHT (LBS) 8 CHECK IF <input type="checkbox"/> Letter <input checked="" type="checkbox"/> EXPRESS <input type="checkbox"/> PACK	
City State ZIP CODE (Required) Dallas TX 75240	Special Instructions <input type="checkbox"/> Saturday Delivery <input type="checkbox"/> Hold at Airborne <input type="checkbox"/> Lab Pack		
Attention: (Name/Dept) Phone Number (Important) 		Declared Value Full Insurance Shipment Valuation <input type="checkbox"/> or <input type="checkbox"/> \$	
Description Legal Documents		<input type="checkbox"/> Drop Box # <input type="checkbox"/> Airborne Terminal	
3 THANK YOU FOR SHIPPING WITH AIRBORNE EXPRESS Sender's Signature Date Becky Bass		Airborne Signature Route No. Date Time	

http://www.airborne-express.com SENDER'S COPY PO BOX 682, SEATTLE, WA 98111-0682 1-800-247-2676

FROM (Company) M C I 0562/107		Preprint Format No. 69971080	Origin Airbill Number D 4696446985
Street Address 2400 N GLENVILLE DR		Method of Payment <i>Assumed sender unless otherwise noted</i> <input checked="" type="checkbox"/> Bill Sender 153044578 <i>Airborne Sender account no.</i>	
City State ZIP CODE (Required) RICHARDSON TX 75082	Service Type One box must be checked with an "X". Assumed Express Service unless otherwise noted. <input checked="" type="checkbox"/> Express (Letter - 150 lbs) <input checked="" type="checkbox"/> Next Afternoon (Letter - 5 lbs) <input checked="" type="checkbox"/> Second Day (Letter - 150 lbs)		
Sent by (Name/Dept) Phone Number Michael Archer 972-918-6160		<input type="checkbox"/> Bill Receiver <i>Airborne Receiver account no.</i> <input type="checkbox"/> Bill 3rd Party <i>Airborne Customer account no.</i> <input type="checkbox"/> Paid in Advance <i>Check Amount</i> \$	
TO (Company) MC I		Billing Reference <i>will appear on invoice</i>	
Street Address 2400 N. Glenville Dr		6 NO. OF PKGS 7 WEIGHT (LBS) 8 CHECK IF <input type="checkbox"/> Letter <input checked="" type="checkbox"/> EXPRESS <input type="checkbox"/> PACK	
City State ZIP CODE (Required) Richardson TX 75082	Special Instructions <input type="checkbox"/> Saturday Delivery <input type="checkbox"/> Hold at Airborne <input type="checkbox"/> Lab Pack		
Attention: (Name/Dept) Phone Number (Important) Becky Bass 972-729-6160		Declared Value Full Insurance Shipment Valuation <input type="checkbox"/> or <input type="checkbox"/> \$	
Description Legal Documents		<input type="checkbox"/> Drop Box # <input type="checkbox"/> Airborne Terminal	
3 THANK YOU FOR SHIPPING WITH AIRBORNE EXPRESS Sender's Signature Date 		Airborne Signature Route No. Date Time	

http://www.airborne-express.com SENDER'S COPY PO BOX 682, SEATTLE, WA 98111-0682 1-800-247-2676

DECLARATION AND POWER OF ATTORNEY FOR UTILITY PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Method And System For Multicasting Call Notifications

the specification of which

☒ is attached hereto.

☐ was filed on

as Application Serial No.
amended on

and was

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I do not know and do not believe that the same was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof of more than one year prior to this application, and said invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim the benefit under Title 35, United States Code, Section 119, of any foreign application(s) for patent or inventor's certificate listed below and also identified below any foreign application for patent or inventor's certificate having filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

_____ (Number)	_____ (Country)	_____ (Date Filed)	Yes	No	_____
_____ (Number)	_____ (Country)	_____ (Date Filed)	Yes	No	_____

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below, and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status)

_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status)

I hereby appoint Michael Melton, Reg. No. 32,276; Timothy D. Casey, Reg. No. 33,124; Deborah Miller, Reg. No. 37,679; Ruben DeLeon, Reg. No. 37,812; Carl Evens, Reg. No. 33,874; Jacob Eisenberg, Reg. No. P-43,410 my attorneys and Satheesh Karra, Reg. No. 40,246 my patent agent with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith and Ira Matsil, Reg. No. 35,272; N. Rhys Merrett, Reg. No. 27,250; Steven H. Slater, Reg. No. 35,361 my attorney of SHARP, COMFORT & MERRETT, PC, Galleria Tower II, 13455 Noel Road, Suite 1710, Dallas, Texas 75240-6636, telephone number (972) 490-3695.

Send correspondence to:	Direct Telephone Calls To:
Technology Department	
MCI COMMUNICATIONS CORPORATION	617-227-7400
1133 19TH STREET NW	
WASHINGTON DC 20036	

I hereby declare that all statements made herein of my knowledge are true and that all statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole or First Inventor:	Michael Archer	
P.O./Residence Address:	5704 Spring Valley, Apartment 1063, Dallas, Texas 75240	
Citizenship:	Signature: <u><i>[Signature]</i></u>	Date: <u>6/2/98</u>
USA		

EXHIBIT E

Patent Dock : RIC-97-077

ASSIGNMENT

For good and valuable consideration, the receipt of which is hereby acknowledged, I/We, the undersigned, do hereby sell, assign, and transfer to : MCI Communications Corporation, a corporation of Delaware, having a principal place of business at Washington, D.C. ("Assignee"), its successors, assigns, and legal representatives, the entire right, title and interest for the United States and all foreign countries, in and to any and all improvements which are described in the application for United States Letters Patents,

and is entitled: ☒ Which has been executed by the undersigned concurrently herewith,
☐ Which was filed on _____ and assigned Serial No. _____

Method And System For Multicasting Call Notifications

and in to said application and all divisional, continuing, substitute, renewal, reissue, and all other application for Letters Patents which have been or shall be filed in the United States and all foreign countries on any of said improvements; and in and to all original and reissued patents which have been or shall be issued in the United States and foreign countries on said improvements; and in and to all rights of priority resulting from the filing of said United States application; and

Agree that said Assignee may apply for and receive Letters Patent for improvements in its own name; and that, when requested, without charge to, but at the expense of, said Assignee, its successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this Assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent application on any and all said improvements; execute all rightful oaths, assignments, powers of attorney and other papers; communicate to said Assignee, its successors, assigns, and representatives, all facts known to undersigned relating to said improvements and the history thereof; and generally do everything possible which said Assignee, its successors, assigns or representatives shall consider desirable for aiding in securing and maintaining proper patent protection for said improvements and for vesting title to said improvements and all applications for patents and all patents on said improvements, in said Assignee, its successors, assigns and legal representatives; and

Covenant with said Assignee, its successors, assigns and legal representatives that no assignment, grant, mortgage, license, or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

Signature:


Michael Archer

Date:

6/18/94